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EXAMINER
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ABELSON, RONALD B

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/290,941

Applicant(s)

DALGIC ET AL.

Examiner

Ronald Abelson

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14, 15, 38 and 39 is/are allowed.
- 6) ☒ Claim(s) 1-4, 8, 11, 12, 16, 20-23, 25-28, 32, 35, 36 and 40 is/are rejected.
- 7) ☒ Claim(s) 5-7, 9, 10, 13, 17-19, 24, 29-31, 33, 34, 37 and 41-43 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

*Claim Rejections - 35 USC § 103*

1. Claims 1-4, 8, 11, 12, 16, 20, 21, 23, 25-28, 32, 35, 36, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek (US 6,324,279) in view of Arkko (US 6,404,736).

Regarding claims 1, 20, and 25, Kalmanek teaches a method and apparatus for a H.323 system (fig. 1, col. 1 lines 29 - 41), including an edge device (fig. 1 box 120) and a call-switching device (fig. 1 box 110), the edge device having a first H.323 port.

The system comprises receiving from an H.323 node a first admission request (fig. 6 setup: see connection BTI<sub>o</sub> to ER<sub>o</sub>).

The system comprises transmitting from the edge device to the call-switching device a second admission request for the H.323 call (fig. 6 setup: see connection ER<sub>o</sub> to GC<sub>o</sub>).

The system comprises responsive to transmitting the second admission request, receiving from the call-switching device at the edge device an admission confirmation for the H.323 call indicating that the H.323 call can proceed (fig. 6: gatealloc).

Kalmanek fails to teach storing on the edge device call state information corresponding to a state of the H.323 call and

Art Unit: 2666

updating the call state information on the edge device after receiving the admission confirmation.

Arkko teaches storing on the edge device call state information corresponding to a state of the H.323 call and updating the call state information on the edge device after receiving the admission confirmation (accounting, fig. 2 box 220, col. 6 lines 63-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both Kalmanek and Arkko before him/her and with the teachings [a] as shown by Kalmanek, a method and apparatus for a H.323 system, including an edge device (fig. 1 box 120) and a call-switching device, the edge device having a first H.323 port, and [b] as shown by Arkko, storing on the edge device call state information corresponding to a state of the H.323 call and updating the call state information on the edge device after receiving the admission confirmation, to be motivated to modify the system of Kalmanek by adding a network access server to store accounting information as taught by Arkko. This would improve the system since the NAS can service multiple ISPs simultaneously (Arkko: col. 7 lines 41-42).

Regarding claim 2, Kalmanek teaches responsive to receiving at the edge device a first registration request (fig. 7 reserve)

Art Unit: 2666

with the H.323 call, transmitting from the edge device to the call switching device / backbone router a second registration request corresponding to the first registration request (fig. 7: backbonereserve).

Responsive to transmitting the second registration request, receiving from the call-switching device on the edge device a first response to the second registration request (fig. 7 backbonereserve).

Kalmanek fails to teach updating the call status information on the first edge device after receiving the first response to the corresponding request.

Arkko teaches updating the call status information on the first edge device after receiving the first response to the corresponding request (accounting, fig. 2 box 220, col. 6 lines 63-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both Kalmanek and Arkko before him/her and with the teachings [a] as shown by Kalmanek, responsive to receiving at the edge device a first registration request with the H.323 call, transmitting from the edge device to the call switching device / backbone router a second registration request corresponding to the first registration request, responsive to transmitting the second registration request, receiving from the

Art Unit: 2666

call-switching device on the edge device a first response to the second registration request, and [b] as shown by Arkko, updating the call status information on the first edge device after receiving the first response to the corresponding request, to be motivated to modify the system of Kalmanek by adding a network access server to store accounting information as taught by Arkko. This would improve the system since the NAS can service multiple ISPs simultaneously (Arkko: col. 7 lines 41-42).

Regarding claim 3, responsive to receiving the first response, transmitting from the edge device to the H.323 terminal a second response (Kalmanek: fig. 7 reserve-ack (TID<sub>1</sub>)).

Regarding claims 4 and 28, if failure in the call-switching device occurs, the call continues (Kalmanek: col. 7 lines 36 - 43).

Regarding claims 8 and 32, billing information associated with the H.323 call is maintained after failure of the call-switching device (Kalmanek: active calls are unaffected, col. 7 lines 36 - 51).

Art Unit: 2666

Regarding claims 11 and 35, the call state information includes at least one of a call state, a bandwidth authorized amount, a bandwidth in use amount, a ringing status, a call timer, a call start time, and a list of open logical channels (bandwidth desired, reserveack, col. 28 lines 11-21).

Regarding claim 12, Kalmanek teaches a method and apparatus for a first communication channel for coupling the virtual-distributed gatekeeper device in communication with at least one H.323 device (primary gate controller, col. 7 lines 36-40).

Kalmanek teaches a second communication channel in communication with at least one element of a packet-based network (fig. 1 box 100, col. 4 lines 50-51), the at least one element of the packet-based network for generating requests and receiving responses to at least one of a registration request, an admission request, and a status request (fig. 6), the virtual-distributed gatekeeper device having an Internet protocol (IP) address (col. 4 lines 50-51).

Kalmanek teaches a processor for processing communications on the first and second channels (primary and secondary gate controller, col. 7 lines 36-40).

Kalmanek fails to teach a memory for holding call state information, the call state information including information

Art Unit: 2666

about H.323 calls placed by the at least one H.323 device coupled in communication with the virtual distributed gatekeeper device.

Arkko teaches a memory for holding call state information, the call state information including information about H.323 calls placed by the at least one H.323 device coupled in communication with the virtual distributed gatekeeper device (fig. 2 box 220, col. 6 lines 63-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both Kalmanek and Arkko before him/her and with the teachings [a] as shown by Kalmanek, a method and apparatus for a first communication channel for coupling the virtual-distributed gatekeeper device in communication with at least one H.323 device, and [b] as shown by Arkko, a memory for holding call state information, the call state information including information about H.323 calls placed by the at least one H.323 device coupled in communication with the virtual distributed gatekeeper device, to be motivated to modify the system of Kalmanek by adding a network access server to store accounting information as taught by Arkko. This would improve the system since the NAS can service multiple ISPs simultaneously (Arkko: col. 7 lines 41-42).



Art Unit: 2666

Regarding claim 16, Kalmanek teaches a method and apparatus for an edge device having a first H.323 port (fig. 1 box 120), a call switching device (fig. 1 box 110), and the call-switching device responds to at least one of a registration request, an admission request, and a status request for the edge device (fig. 6).

Kalmanek fails to teach a memory containing call state information including a call state for an H.323 call on the first H.323 port.

Arkko teaches a memory containing call state information including a call state for an H.323 call on the first H.323 port (fig. 2 box 220, col. 6 lines 63-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both Kalmanek and Arkko before him/her and with the teachings [a] as shown by Kalmanek, a method and apparatus for an edge device having a first H.323 port, a call switching device, and the call-switching device responds to at least one of a registration request, an admission request, and a status request for the edge device, and [b] as shown by Arkko, a memory containing call state information including a call state for an H.323 call on the first H.323 port, to be motivated to modify the system of Kalmanek by adding a network access server to store accounting information as taught by Arkko. This would

Art Unit: 2666

improve the system since the NAS can service multiple ISPs simultaneously (Arkko: col. 7 lines 41-42).

Regarding claim 21, the apparatus supports network address translation (Kalmanek: col. 45 line 40 - col. 46 line 52 and col. 48 lines 28 - 35).

Regarding claim 23, Kalmanek teaches responsive to receiving at the edge device a first status request associated with the H.323 call (fig. 7: reserve), transmitting from the edge device to the call-switching device a second status request corresponding to the first status request (fig. 7: backbonereserve) and responsive to transmitting the second status request, receiving from the call-switching device on the edge device a first response to the second status request (fig. 7: reserve-ack (TID<sub>1</sub>)).

Kalmanek fails to teach updating the call state information on the edge device after receiving the admission confirmation.

Arkko teaches updating the call state information on the edge device after receiving the admission confirmation (accounting, fig. 2 box 220, col. 6 lines 63-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both Kalmanek and Arkko before him/her

Art Unit: 2666

and with the teachings [a] as shown by Kalmanek, responsive to receiving at the edge device a first status request associated with the H.323 call, transmitting from the edge device to the call-switching device a second status request corresponding to the first status request and responsive to transmitting the second status request, receiving from the call-switching device on the edge device a first response to the second status request, and [b] as shown by Arkko, updating the call state information on the edge device after receiving the admission confirmation, to be motivated to modify the system of Kalmanek by adding a network access server to store accounting information as taught by Arkko. This would improve the system since the NAS can service multiple ISPs simultaneously (Arkko: col. 7 lines 41-42).

Art Unit: 2666

Regarding claim 36, Kalmanek teaches a method and apparatus for a first communication channel for carrying on communication with at least one H.323 device, the edge device operable to receive from the at least one H.323 over the first communication channel a first request for call-administration control of an H.323 call for the H.323 device, the first request being addressed to the edge device (fig. 6 setup: see connection BTI<sub>0</sub> to ER<sub>0</sub>).

Kalmanek teaches a second communication channel for carrying on communication with at least one element of a packet-based network, the edge device operable to send to the at least one element of the packet-base network over the second communication channel unbeknownst to the at least one H.323 device a second request for call admission control of the H.323 call for the H.323 device (fig. 6 setup: see connection ER<sub>0</sub> to GC<sub>0</sub>).

Kalmanek teaches a processor for processing communications on the first and second channels (primary and secondary gate controller, col. 7 lines 36-40).

Kalmanek fails to teach a memory for holding call state information, the call state information including information about H.323 calls placed by the at least one H.323 device

Art Unit: 2666

coupled in communication with the virtual distributed gatekeeper device.

Arkko teaches a memory for holding call state information, the call state information including information about H.323 calls placed by the at least one H.323 device coupled in communication with the virtual distributed gatekeeper device (fig. 2 box 220, col. 6 lines 63-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both Kalmanek and Arkko before him/her and with the teachings [a] as shown by Kalmanek, an edge device comprising a first and second communication channel, and [b] as shown by Arkko, a memory for holding call state information, the call state information including information about H.323 calls placed by the at least one H.323 device coupled in communication with the virtual distributed gatekeeper device, to be motivated to modify the system of Kalmanek by adding a network access server to store accounting information as taught by Arkko. This would improve the system since the NAS can service multiple ISPs simultaneously (Arkko: col. 7 lines 41-42).

Regarding claim 40, Kalmanek teaches a call-switching device (fig. 1 box 110) for responding to call-admission control

Art Unit: 2666

requests for H.323 calls and an edge device having a first H.323 port (fig. 1 box 120).

The system is operable to receive a request for call-admission control for the H.323 call (fig. 6 setup: see connection  $BTI_0$  to  $ER_0$ ).

The system is operable to transmit to the call-switching device unbeknownst to the H.323 terminal a second request for call-admission control for the H.323 call (fig. 6 setup: see connection  $ER_0$  to  $GC_0$ ).

The system is operable to receive from the call-switching device a response corresponding the second request for call-admission control for the H.323 call (fig. 6 gatealloc).

Kalmanek fails to teach a memory for storing call state information.

Arkko teach a memory for storing call state information (accounting, fig. 2 box 220, col. 6 lines 63-65).

Therefore it would have been obvious to one of ordinary skill in the art, having both Kalmanek and Arkko before him/her and with the teachings [a] as shown by Kalmanek, a call-switching device for responding to call-admission control requests for H.323 calls and an edge device having a first H.323, and [b] as shown by Arkko, a memory for storing call state information, to be motivated to modify the system of

Art Unit: 2666

Kalmanek by adding a network access server to store accounting information as taught by Arkko. This would improve the system since the NAS can service multiple ISPs simultaneously (Arkko: col. 7 lines 41-42).

Regarding claim 26, the limitations of the claim have previously been addressed. The first and second requests for call admission control of the H.323 call comprise any of a request for admission, a request for registration, and a request for status (Kalmanek: fig. 6: setup), wherein the call-admission control confirmation for the H.323 call comprises any of a confirmation of the request for admission, a confirmation of the request for registration, and a confirmation of the request for status (Kalmanek: fig. 6: gatealloc), and wherein updating the call state information on the edge device comprises updating the call state information on the edge device in response to any of the confirmation of the request for admission, the confirmation of the request for registration, and the confirmation of the request for status (Arkko: accounting, fig. 2 box 220, col. 6 lines 63-65).

Regarding claim 27, responsive to receiving the call-admission-control confirmation, transmitting from the edge

Art Unit: 2666

device to the H.323 terminal a response corresponding to the call-admission-control confirmation (fig. 6: setupack).

2. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kalmanek and Arkko as applied to claim 20 above, and further in view of Newton.

The combination of Kalmanek and Arkko fails to teach support an H.323 proxy service.

Newton teaches a proxy server may be used to allocate a few IP addresses to many users and proxy servers provide security by replacing calls to insecure systems (Newton: pg. 606 - 607).

Therefore it would have been obvious to one of ordinary skill in the art, having both the combination of Kalmanek and Arkko and Newton before him/her and with the teachings [a] as shown by the combination of Kalmanek and Arkko, method for delivering voice over the internet that conforms to the H.323 standard, and [b] as shown by Newton, a proxy server may be used to allocate a few IP addresses to many users and proxy servers provide security by replacing calls to insecure systems, to be motivated to modify the system of the combination of Kalmanek and Arkko by attaching proxy servers to the edge routers. This is cost effective since multiple users can be supported on a



Art Unit: 2666

single IP address and in addition proxy servers improve security.

***Allowable Subject Matter***

3. Claims 14-15 and 38-39 are allowed.

4. Claims 5-7, 9, 10, 13, 17-19, 24, 29-31, 33-34, 37, and 41-43, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 5, nothing in the prior art of the record teaches or fairly suggests receiving a message from the second call-switching device at the edge device, the message indicating the failure in the call-switching device, in combination with the other limitations listed in the claim.

Regarding claims 7 and 31, nothing in the prior art teaches or fairly suggests assigning the second call-switching device the IP address of the call-switching device after the failure in the call-switching device, in combination with the other limitations listed in the claim.

Regarding claims 9, 13, and 37, although Kalmanek teaches NAT (col. 45 line 40 - col. 46 line 52 and col. 48 lines 28 -

Art Unit: 2666

35) the specific implementation as discussed by the applicant is not taught nor suggested.

Regarding claim 14, nothing in the prior art of the record teaches or fairly suggests the combination of a third communication channel, a second memory, and a second processor, in combination with the other limitations listed in the claim.

Regarding claims 17 and 41, nothing in the prior art of the record teaches or fairly suggests a modified H.323 gateway and a modified H.323 gatekeeper, in combination with the other limitations listed in the claim.

Regarding claim 24, nothing in the prior art of the record teaches or fairly suggests a second response corresponding to the first response, in combination with the other limitations listed in the claim.

Regarding claim 29, nothing in the prior art of the record teaches or fairly suggests receiving at the edge device a failure message, in combination with the other limitations listed in the claim.

Regarding claim 33, nothing in the prior art of the record teaches or fairly suggests using the standard NAT protocol to translate the H.323 packet so as to define the first IP address as a source address of the H.323 packet, in combination with the other limitations listed in the claim.

Art Unit: 2666

Regarding claim 38, although Kalmanek teaches a gate controller (fig. 1 box 110, 111) with associated memory (fig. 1 box 140, 141), nothing in the prior art of the record teaches or fairly suggests the gate controller containing a memory for holding a port status table, the port status table indicating the status of the plurality of H.323 ports, in combination with the other limitations listed in the claim.

#### ***Response to Amendment***

5. The examiner agrees with the applicant that the prior art of received did not teach all the limitations in each modified independent claim. Therefore, an updated search was performed.

#### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this

Art Unit: 2666

action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

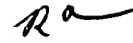
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Application/Control Number: 09/290,941

Page 20

Art Unit: 2666



Ronald Abelson  
Examiner  
Art Unit 2666

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April 15, 2003



DANTON  
PRIMARY EXAMINER